ef 1/07
(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. 815 /2004

PET ITIONER : Shantilal Jain
S/o Manikchand Jain
Aged about 22 years,
R/o 6-Shantinagar, Dhamtari,
Distt. Dhamtari (C.G.)

VERSUS

RES PONDENTS : 1] Union of India
Through: the Secretary
Ministry of Law, Justice and
Company Affairs and Ministry
of Finance, New Delhi.

Received-Copy
Shri Yadav
12.03.04
Clerk to Shri
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

2] Central Bank of India
Through: its Regional Manager,
Choubey Colony, Raipur (C.G.)

P. R. No. 998/04
Presented by Shri D.N. Sharma
12/03/04

3] Branch Manager,
Central Bank of India,
Near Old Bus Stand, Dhamtari,
District Dhamtari (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MA NDAMUS, CERTIORARI AND/OR ORDER(S), AND/OR DIR ECTION(S) IN THE NATURE OF WRITS

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(93)

आदेश पत्रक

मामला क्रमांक W.P. 815 सन् 2004

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ & HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri Manoj Paranjape, counsel for the petitioner. Shri V.V.S. Murthy,. Standing Counsel for the Union of India, with for respondent No.1. Shri Prashant Mishra, counsel for the respondents No.2 & 3. I.A. No. 2941/2004 is allowed. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये